

FILED

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF TEXAS 2020 APR 21 AM 10:19

AUSTIN DIVISION

CLERK OF DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY  DEPT

PLANNED PARENTHOOD CENTER §  
FOR CHOICE, PLANNED §  
PARENTHOOD OF GREATER TEXAS §  
SURGICAL HEALTH SERVICES, §  
PLANNED PARENTHOOD SOUTH §  
TEXAS SURGICAL CENTER, WHOLE §  
WOMAN'S HEALTH, WHOLE §  
WOMAN'S HEALTH ALLIANCE, §  
SOUTHWESTERN WOMEN'S §  
SURGERY CENTER, BROOKSIDE §  
WOMEN'S MEDICAL CENTER PA §  
D/BA BROOKSIDE WOMEN'S §  
HEALTH CENTER AND AUSTIN'S §  
WOMEN'S HEALTH CENTER, §  
ROBIN WALLACE, M.D., M.A.S., §  
ALAMO CITY SURGERY CENTER §  
PLLC D/B/A ALAMO WOMEN'S §  
REPRODUCTIVE SERVICES, §  
HOUSTON WOMEN'S §  
REPRODUCTIVE SERVICES, AND §  
HOUSTON WOMEN'S CLINIC, §  
PLAINTIFFS, §

V. §

CAUSE NO. A-20-CV-323-LY

GREG ABBOTT, GOVERNOR OF §  
TEXAS, KEN PAXTON, ATTORNEY §  
GENERAL OF TEXAS, PHIL WILSON §  
ACTING EXECUTIVE §  
COMMISSIONER OF THE TEXAS §  
HEALTH AND HUMAN SERVICES §  
COMMISSION, STEPHEN BRINT §  
CARLTON, EXECUTIVE DIRECTOR §  
OF THE TEXAS MEDICAL BOARD, §  
KATHERINE A. THOMAS, §  
EXECUTIVE DIRECTOR OF THE §  
TEXAS BOARD OF NURSING, EACH §  
IN THEIR OFFICIAL CAPACITY, AND §  
MARGARET MOORE, DISTRICT §  
ATTORNEY FOR TRAVIS COUNTY, §  
JOE GONZALES, CRIMINAL §

DISTRICT ATTORNEY FOR BEXAR §  
 COUNTY, JAIME ESPARZA, DISTRICT §  
 ATTORNEY FOR EL PASO COUNTY, §  
 JOHN CREUZOT, DISTRICT §  
 ATTORNEY FOR DALLAS COUNTY, §  
 SHAREN WILSON, CRIMINAL §  
 DISTRICT ATTORNEY TARRANT §  
 COUNTY, RICARDO RODRIGUEZ, JR., §  
 CRIMINAL DISTRICT ATTORNEY §  
 FOR HIDALGO COUNTY, BARRY §  
 JOHNSON, CRIMINAL DISTRICT §  
 ATTORNEY FOR MCLENNAN §  
 COUNTY, KIM OGG, CRIMINAL §  
 DISTRICT ATTORNEY FOR HARRIS §  
 COUNTY, AND BRIAN MIDDLETON §  
 CRIMINAL DISTRICT ATTORNEY §  
 FOR FORT BEND COUNTY, EACH IN §  
 THEIR OFFICIAL CAPACITY, §  
 DEFENDANTS. §

### **ORDER**

IN THIS CASE on April 13, 2020, Plaintiffs filed an Amended Complaint for Injunctive and Declaratory Relief adding Houston Women's Clinic as a plaintiff (Clerk's Doc. #67). On April 14, 2020, Houston Women's Clinic filed a Motion for Temporary Restraining Order (Clerk's Doc. #79). On April 17, 2020, Plaintiffs filed a Second Amended Complaint for Injunctive and Declaratory Relief adding Alamo City Surgery Center PLLC d/b/a Alamo Women's Reproductive Services and Houston Women's Reproductive Services as plaintiffs (Clerk's Document #86). Also, on April 17, 2020, Alamo City Surgery Center and Houston Women's Reproductive Services filed a Motion for Temporary Restraining Order (Clerk's Doc. #87).

On April 9, 2020, before Houston Women's Clinic, Alamo City Surgery Center, and Houston Women's Reproductive Services appeared plaintiffs, this court rendered an Order Granting Plaintiffs' Second Motion for a Temporary Restraining Order (Clerk's Doc. #63). Houston

Women's Clinic, Alamo City Surgery Center, and Houston Women's Reproductive Services each move for a temporary restraining order to place it in the same position in this case as the other plaintiffs. The court finds that Houston Women's Clinic, Alamo City Surgery Center, and Houston Women's Reproductive Services are similarly situated to the other plaintiffs and bringing them under the existing temporary restraining order will neither delay resolution of this case nor change the status of or work a hardship on any other party.

**IT IS THEREFORE ORDERED** that Plaintiff Houston Women's Clinic's Motion for Temporary Restraining Order (Clerk's Doc. #79) and Plaintiffs Alamo City Surgery Center's and Houston Women's Reproductive Services; Motion for Temporary Restraining Order (Clerk's Doc. #87) are **GRANTED** as follows: Houston Women's Clinic, Alamo City Surgery Center, and Houston Women's Reproductive Services as plaintiffs in this case, are covered by and subject to this court's April 9, 2020, temporary restraining order to the same extent as the original plaintiffs and are entitled to all rights, privileges, and immunities set forth in the April 9, 2020 order, as modified by the United States Court of Appeals for the Fifth Circuit by that court's orders of April 10 and April 13, 2020. In all other respects, the motion is **DENIED**.

SIGNED this 21st day of April, 2020.

  
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LEE YEAKEL  
UNITED STATES DISTRICT JUDGE